



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Dayton, Ohio

NCR Docket No. 9268.00

Application of

Robin Mackay

Serial No. 09/992,240

Group Art Unit: 2681

Filed: November 6, 2001

Examiner: **Unknown**

For: **DISSEMINATING CONSUMER INFORMATION**

Assistant Commissioner for Patents
Washington, D.C. 20231

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DECLARATION OF MICHAEL CHAN

Sir:

I, Michael Chan, being duly sworn, do hereby declare and state:

1. I am employed as a Senior Attorney in the Intellectual Property Section of the Law Department of NCR Corporation. I am located in the Dayton offices of the NCR Corporation.

2. I work with Christine Sheppard, Paralegal in the Intellectual Property Section of the Law Department, who is located in the London offices of the Intellectual Property Section of the Law Department of NCR Corporation.

3. I am responsible for preparing and prosecuting patent applications for the Financial Solutions Group of NCR Corporation.

4. On September 12, 2001 or thereabouts, an electronic copy of the specification, claims, and drawings for priority patent application Serial No. 0027330 filed November 9, 2000 in the U.K. Patent Office was received from the London offices of the Intellectual

Property Section of the Law Department. I used the electronic copy to prepare a corresponding U.S. patent application for filing in the U.S. Patent Office.

5. On October 5, 2001 or thereabouts, a set of U.S. patent application papers (including copy of specification, claims, drawings, declaration of inventors, and assignment for inventors) corresponding to the above-identified U.S. patent application, Serial No. 09/992,240, was sent from the Dayton offices to the London offices of the Intellectual Property Section of the Law Department for subsequent forwarding to inventor Robin Mackay to sign the declaration and the assignment.

6. On November 6, 2001, a copy of U.S. patent application papers (including copy of specification, claims, drawings, and an unsigned declaration) corresponding to the above-identified U.S. patent application, Serial No. 09/992,240, were filed in the U.S. Patent Office. The above-identified U.S. patent application claims priority of priority patent application Serial No. 0027330 filed November 9, 2000 in the U.K. Patent Office.

7. On December 11, 2001, a Notice to File Missing Parts of Application (Filing Date Granted) dated December 6, 2001 from the U.S. Patent Office was received in the Dayton offices of the Intellectual Property Section of the Law Department.

8. On January 15, 2002 or thereabouts, upon realizing that the U.S. patent application papers including executed declaration of inventor for the above-identified U.S. patent application, Serial No. 09/992,240 would most likely not be received in the Dayton Offices of the Intellectual Property Section of the Law Department for filing in the U.S. Patent Office, I started to prepare a Petition under 37 C.F.R. Section 1.47(b) along with its accompanying papers for filing in the U.S. Patent Office.

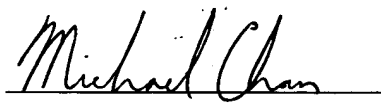
9. On April 2, 2002, a set of documents including Christine Sheppard's affidavit and its accompanying exhibits were received from the London offices of the Intellectual Property Section of the Law Department.

10. On April 2, 2002 a new "Combined Declaration and Power of Attorney" was prepared for execution by a representative of NCR Corporation who has sufficient proprietary interest in the above-identified application.

11. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

WHEREFORE, I hereby subscribe my name to the foregoing declaration.

Signed at Dayton, Ohio this 3RD day of April 2002.



Michael Chan
Reg. No. 33,663
Attorney for Applicant(s)

NCR Corporation, Law Department, WHQ5E
1700 S. Patterson Blvd., Dayton, OH 45479-0001
Tel. No. 937-445-4956/Fax No. 937-445-3733

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DECLARATION OF CHRISTINE SHEPPARD

Sir:

I, Christine Sheppard, being duly sworn, do hereby declare and state:

1. I am employed in the Intellectual Property Section of the Law Department of NCR Corporation. I am located in the London (United Kingdom) office of NCR Corporation.

2. I work with Michael Chan, Senior Attorney in the Intellectual Property Section of the Law Department of NCR Corporation, who is located in the Dayton offices of the Intellectual Property Section of the Law Department of NCR Corporation.

3. I am responsible for patent formalities for the Financial Solutions Group of NCR Corporation.

4. I work with inventors (including Robin Mackay who is an inventor in the above-identified U.S. patent application, Serial No. 09/992,240) located in the United Kingdom to prepare patent applications for filing first in the U.K. Patent Office.

5. On June 6, 2000, an Invention Disclosure entitled, "A System and Method for Consumers to Store, Share and Access Information Concerning Products for Sale " was received from the inventor (See Exhibit A for copy of the Invention Disclosure submitted by the inventor).

6. On November 9, 2000, a priority patent application Serial No. 0027330 corresponding to the above-identified U.S. patent application Serial No. 09/992,240 was filed in the U.K. Patent Office.

7. On September 12, 2001 or thereabouts, a copy of the specification, claims, and drawings for priority patent application Serial No. 0027330 filed November 9, 2000 in the U.K. Patent Office was sent to the Dayton offices of the Intellectual Property Section of the Law Department for filing a corresponding patent application in the U.S. Patent Office.

8. On October 8, 2001 or thereabouts, a set of U.S. patent application papers (including copy of specification, claims, drawings, declaration of inventors, and assignment for inventors) corresponding to the above-identified U.S. patent application, Serial No. 09/992,240, was received by from the Dayton offices of the Intellectual Property Section of the Law Department for forwarding to inventor Mackay, the inventor in the above-identified U.S. patent application, to sign the declaration and the assignment. As of October 8, 2001, the aforesaid inventor was not in the employ of NCR Corporation.

9. On October 10, 2001, the U.S. patent application papers received on October 8, 2001 or thereabouts from the Dayton offices of the Intellectual Property Section of the Law Department were forwarded to inventor Mackay at his home address, which is "1 Colman's Wharf, 45 Morris Road, London E14 6PA", for execution by the inventor (see Exhibit B for a copy of the letter sent by Royal Mail Recorded Delivery to inventor Mackay on October 10, 2001).

10. Inventor Mackay has an Employment Agreement with NCR Corporation. The Employment Agreements oblige him, *inter alia*, "...whether during or after his employment with the Company, execute any document and do any acts necessary to enable the Company or its assigns to obtain patent protection in any part of the world in respect of any invention ..." (see Exhibit C for Intellectual Property portion of inventor Mackay's Employment Agreement).

11. As of today, March 28, 2002, the documents sent to inventor Mackay on October 10, 2001 have not been returned to me.

12. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

WHEREFORE, I hereby subscribe by name to the foregoing declaration.

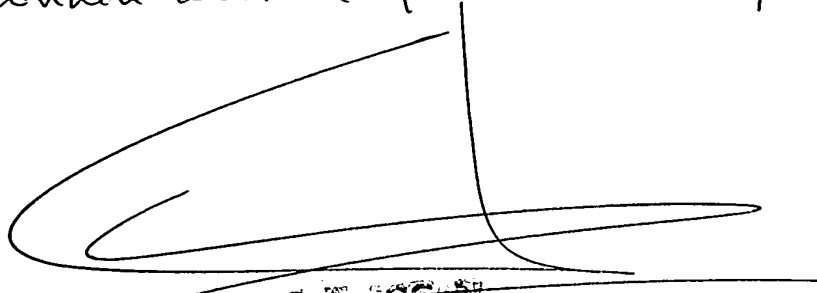
Signed at London, United Kingdom this 28th day of March 2002.


Christine Sheppard

KINGDOM OF ENGLAND, CITY OF LONDON S.S.,

on 28th March 2002

Signed in the presence of ELEANOR FRANCES WILSON, Notary Public of the City of London and England at Large


~~E. F. W. WILSON~~
 Notary Public of London & England
 (My Commission expires at death)





| LAW DEPARTMENT USE ONLY | |
|-------------------------|------|
| Docket No. | 9268 |
| Date Received | |
| Attorney | |

INVENTION DISCLOSURE RECORD

PREPARATION & ROUTING INSTRUCTIONS

Complete and fill in every item. Write "none" or "unknown", if appropriate.

Use an additional blank page for any item where more space is needed.

Have your manager review and sign (items 10 and 11) before submitting to the NCR Law Department.

| | | | |
|---|--|---|--------------|
| (1) Inventor(s) | Facility | Department | Phone Number |
| Robin Mackay | FSG | Knowledge Lab | x 8198 |
| | | | |
| | | | |
| (2) Title of Invention (Preferably 10 Words or less) A system and method for consumers to store, share and access information concerning products for sale | | | |
| (4) Product, Project Name or Class Number | (5) Date Invention was First Conceived | (6) Actual or Anticipated Date of First Product Sale, Customer Availability, or Public Disclosure | |
| | 10 th May 2000 | | |
| (7) Description of the Invention. Please attach additional pages providing the following: a. Statement of problem solved by the invention - Briefly state the problem your invention solves, its purposes and advantages, and how it differs from prior designs that you are aware of. b. Description of the invention - Describe your invention in detail. Include and refer to sketches or diagrams and, if appropriate, attach documents such as previously prepared descriptions or specifications. c. Summary of invention - State what you regard at the present as the key inventive concept - i.e., the gist of your invention. | | | |
| (8) Inventor Signature(s) (Each Person listed in item 1 above is an inventor and must sign and date.) | | | |
| Signature of Inventor | Date | Signature of Inventor | Date |
| <i>R Mackay</i> | 26.5.00 | | |
| Signature of Inventor | Date | Signature of Inventor | Date |
| | | | |
| (9) Witness Signatures (Two Persons who are not inventors must read and understand this disclosure, and then sign and date.) | | | |
| Signature of Witness | Date | Signature of Witness | Date |
| | | | |

FOR MANAGER USE ONLY

| | | | |
|---|------|-----------------------------|----------------------------------|
| (10) Strategic Value of Patent Coverage (State what you regard as the strategic value to your business unit of having a patent for this invention - e.g., licensing revenue, preventing use by others, importance/breadth of the invention, etc.) | | | |
| | | | |
| (11) Reviewed and approved by | | | |
| Signature of Manager | Date | Manager Name (Please Print) | Tentative Rating* (A,B,C,D or U) |
| <i>S. H. H. H.</i> | | | A |

*Rating of "A" through "D" indicate relative value, with "A" being highest and "D" being lowest.
A rating of "U" indicates the value is unknown.

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Invention Disclosure Record:

- a. Statement of problem solved by the invention - Briefly state the problem your invention solves, its purposes and advantages, and how it differs from prior designs that you are aware of.
- b. Description of the invention - Describe your invention in detail. Include and refer to sketches or diagrams and, if appropriate, attach documents such as previously prepared descriptions or specifications.
- c. Summary of invention - State what you regard at the present as the key inventive concept - i.e., the gist of your invention.

Problem Solved by the Invention

A consumers' best source of information about a product service or brand (whether or not to buy it, its quality and provenance) may be other consumers' experience of that product service or brand. The Invention describes a system and method to allow consumers to share this information, and to access it easily using a wireless communication device such as a WAP-enabled mobile telephone.

Description of the Invention

The invention comprises a computer system on an electronic network (server) which contains a data storage facility and program to provide the following service:

(1) The data is segmented into channels. Each channel describes a particular concern consumers may have about a product for example, green issues; dieting issues; suitability for children

(2) Via a PC or other device connected to the server via a network, a user may enter information relating to a certain channel and a certain product. This is achieved as follows:

- (a) User identifies the product to the server; this can be done by:
 - (i) Entering the number corresponding to the product's barcode, and displayed on the product packaging with the barcode
 - (ii) Transmitting some other information which uniquely identifies the product, such as the barcode information (if the user has some barcode-reading device) or other product identifier.
- (b) User specifies which channel they wish to input information into.
- (c) User inputs the relevant information, which may or may not be reviewed by the server's administrator before being made available on the server to other users.

(3) Via a PC or other device connected to the server via a network, a user may subscribe to certain channels they are interested in. This is achieved as follows:

(a) User sets up an account on the server by providing a unique username and password for themselves

(b) User chooses which channels they are interested in subscribing to.

The users' profile is then stored on the server.

(4) Via a PC or other device, a subscriber may then access information on any product by the following procedure:

- (a) User enters the server by presenting their name and password
- (b) User enters the barcode number or other product-identifying data of a product.
- (c) The server provides a list of channels (i) to which the user is subscribed and (ii) which contain information on the product specified
- (d) The user can choose to read and note the information on each of these channels.

It is anticipated that step (4) could be realised from a wireless device such as a WAP-enabled mobile phone, enabling the user to access product information whilst they are out and about.

CONFIDENTIAL

ATTORNEY - CLIENT PRIVILEGED



United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a named inventor I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

DISSEMINATING CONSUMER INFORMATION

and identified by NCR Corporation Docket No. **9268.00**, the specification of which:

- a. ☐ is attached hereto
- b. ☒ was filed on **November 6, 2001** as United States Application Number or PCT International Application Number **09/992,240** and was amended on _____ (if applicable), which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT application having a filing date before that of the application on the basis of which priority is claimed:

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119

| COUNTRY | APPLICATION NUMBER | DATE OF FILING (day, month, year) | DATE OF ISSUE (day, month, year) |
|---------------|--------------------|--------------------------------------|-------------------------------------|
| Great Britain | 0027330.0 | 9 November 2000 | N/A |

OTHER FOREIGN APPLICATION(S), IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)

| COUNTRY | APPLICATION NUMBER | DATE OF FILING (day, month, year) | DATE OF ISSUE (day, month, year) |
|---------|--------------------|--------------------------------------|-------------------------------------|
| | None | | |

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or 365(c) of any PCT international application(s) designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a).

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which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| U.S. PARENT APPLICATION OR PCT PARENT NUMBER | DATE OF FILING (day, month, year) | STATUS (patented, pending, abandoned) |
|---|--------------------------------------|--|
| None | | |

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

| U.S. PROVISIONAL APPLICATION NUMBER | DATE OF FILING (Day, Month, Year) |
|-------------------------------------|-----------------------------------|
| None | |

And I hereby appoint: Michael Chan of Dayton, Ohio, Registration No. 33,663,
John D. Cowart of San Diego, California, Registration No. 38,415,
Douglas S. Foote of Dayton, Ohio, Registration No. 31,013,
Paul W. Martin of Dayton, Ohio, Registration No. 34,870,
James M. Stover of Dayton, Ohio, Registration No. 32,759.

my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. I hereby expressly waive my right to revoke the Power of Attorney granted above. Address all telephone calls to Michael Chan at telephone number 937-445-4956.

Address all correspondence to: Michael Chan
NCR Corporation
1700 South Patterson Blvd.
Dayton, Ohio 45479-0001.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of inventor Robin Mackay

Inventor's signature _____ Date: _____

Residence 1 Colman's Wharf, 45 Morris Road, London, United Kingdom E14 6PA

Citizenship United Kingdom

Post Office Address Same as above

Full name of person signing on behalf of inventor Douglas S. Foote

Signature of person signing on behalf of inventor Douglas S. Foote Date: 4/3/02

Title of person signing on behalf of inventor Vice President, Law, Intellectual Property Section

Address NCR Corporation, 1700 South Patterson Blvd., Dayton, Ohio 45479-0001

Citizenship United States of America

Post Office Address Same as above